

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEE ANN RHOTON,

Plaintiff,

vs.

MODIS, INC., a foreign corporation,

Defendant.

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Case No. 1:15-cv-10966

Judge John Robert Blakey

JOINT MOTION FOR APPROVAL OF SETTLEMENT

Plaintiff Lee Ann Rhoton (“Rhoton” or “Plaintiff”) and Defendant Modis, Inc., (“Modis” or “Defendant”), by and through their respective counsel, jointly move the Court to approve the settlement agreed to by the parties and submitted to chambers for *in camera* review. In support of this Motion, the parties state as follows:

1. On December 7, 2015, Plaintiff filed her Complaint in this matter asserting overtime claims against her former employer Modis under the Fair Labor Standards Act, 29 U.S.C. §201, *et seq.* and the Illinois Minimum Wage Law, 820 ILCS 115/1 *et seq.* [ECF No. 1].

2. After arms-length negotiations and the exchange of substantive information, the parties herein have agreed to a compromise between them in order to avoid the expense, inconvenience, uncertainty and delay of further litigation.

3. After both parties reviewed and analyzed the relevant information, the parties engaged in arms-length negotiations between counsel. The parties have now reached a mutually satisfactory settlement which both sides agree represents a fair and reasonable compromise of any and all of Plaintiff’s claims for alleged back wages, including any applicable overtime, arising from her employment with Modis.

4. When employees bring a private action against their former employer for alleged back wages under the FLSA, and the parties present to the district court a proposed settlement, the district court may enter a stipulated judgment dismissing the case after scrutinizing the settlement to insure that it is a fair and reasonable resolution of a bona fide dispute over wages under the FLSA. *See Walton v. United Consumers Club, Inc.*, 786 F.2d 303, 306 (7th Cir. 1986); *Lynn's Food Stores v. United States*, 679 F.2d 1350, 1355 (11th Cir. 1982).

5. Submitted herewith to chambers, for *in camera* review by the Court, is the Settlement Agreement and Release entered into between Modis and Plaintiff, as well as a proposed Agreed Order approving Settlement.

6. The parties further jointly request that the Court approve the Settlement Agreement because it is a fair and reasonable resolution of bona fide disputes over wages under the FLSA and the IMWL.

7. In addition, the parties request that the Court dismiss this case with prejudice pursuant to the terms of the Settlement Agreement. The parties have also submitted a proposed Order to that effect to the Court's proposed order inbox.

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WHEREFORE, for the foregoing reasons, the parties respectfully request that this Court enter an Agreed Order approving the Settlement Agreement as a fair and reasonable resolution of bona fide disputes under the FLSA and the IMWL.

Dated July 26, 2016

Respectfully submitted,

By: /s/ Mohammed J. Lakhani
One of its attorneys

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Dated July 26, 2016

Respectfully submitted,

By: /s/ Terrence Buehler
One of her attorneys

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on July 26, 2016, the foregoing ***Joint Motion for Approval of Settlement*** was filed electronically with the Clerk of Court using the ECF system, which sent notification of such filing to:

Terrence Buehler
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Attorney for Plaintiff

By: /s/ Mohammed J. Lakhani